

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A data distribution system comprising:
  - a reproducing apparatus for reproducing content data ~~to be distributed~~ from a mounted recording medium;
  - a recording apparatus for recording said reproduced content data on a mounted recording medium;
  - an examining means for examining the type of the content data recorded on the recording medium mounted in said reproducing apparatus, the recording medium mounted in said reproducing apparatus, said reproducing apparatus, the recording medium mounted in said recording apparatus, and said recording apparatus, said examining means generating usage information including a plurality of ownership rights and distribution profits; and
  - a controlling means for controlling transfer of said content data from said recording medium mounted in said reproducing apparatus to said recording medium mounted in said recording apparatus based on ~~results of said examination~~ said usage information.
2. (Currently Amended) A data distribution system as set forth in claim 1, wherein said examining means;
  - examines whether said content data ~~is to be distributed~~ ~~is content data~~ of a first type which is distributed in an encrypted state or ~~content data~~ of a second type which is distributed in an unencrypted state,
  - examines whether said recording medium is ~~a recording medium~~ of a first type having a

configuration enabling recorded data to be effectively read out by performing authentication processing or a ~~recording medium~~ of a second type having no such configuration and enabling read out of the recorded data to be read out freely without authentication,

examines whether said reproducing apparatus is a ~~reproducing apparatus~~ of a first type for reproducing after the authentication processing or a ~~reproducing apparatus~~ of a second type for reproducing without that processing, and

examines whether said recording apparatus is a ~~recording apparatus~~ of a first type for recording after the authentication processing or a ~~recording apparatus~~ of a second type for recording without that processing.

3. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means disables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data~~ of said first type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

4. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means disables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data~~ of said first type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

5. (Currently Amended) A data distribution system as set forth in claim 2, wherein said

controlling means enables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said second type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

6. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said second type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

7. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means disables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

8. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

9. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said second type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

10. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said second type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

11. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means disables the recording when ~~the result of the examination is~~ usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said second type of recording apparatus.

12. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means disables the recording when ~~the result of the examination is~~ usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said first type of recording apparatus.

13. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said second type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said second type of recording apparatus.

14. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates ~~the result of the examination is~~ that the content data is ~~content data of~~ said second type, the recording medium mounted in the recording apparatus is said second type of recording medium, and said recording apparatus is said first type of recording apparatus.

15. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means disables the recording when said usage information indicates ~~the result of the examination is~~ that the content data is ~~content data of~~ said first type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said second type of recording apparatus.

16. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates ~~the result of the examination is~~ that the content data is ~~content data of~~ said first type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording

apparatus is said first type of recording apparatus.

17. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates ~~the result of the examination is that the content data is content data of said second type,~~ the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said second type of recording apparatus.

18. (Currently Amended) A data distribution system as set forth in claim 2, wherein said controlling means enables the recording when said usage information indicates said usage information indicates ~~the result of the examination is that the content data is content data of said~~ second type, the recording medium mounted in the recording apparatus is said first type of recording medium, and said recording apparatus is said first type of recording apparatus.

19-25. (Canceled)

26. (Currently Amended) A data distribution method comprising the steps of:  
examining types of content data ~~to be distributed recorded on a recording medium~~  
mounted in a reproducing apparatus, a recording medium mounted in said reproducing apparatus,  
said reproducing apparatus, a recording medium mounted in the recording apparatus, and said  
recording apparatus;

generating usage information including a plurality of ownership rights and distribution  
profits; and

controlling the transfer of said content data from said recording medium mounted in said reproducing apparatus to said recording medium mounted in said recording apparatus based on ~~results of said examination~~ said usage information.

27. (Currently Amended) A data distribution method as set forth in claim 26, wherein said examination

examines whether said content data ~~to be distributed is content data~~ is of a first type which is distributed in an encrypted state or ~~content data~~ of a second type which is distributed in an unencrypted state,

examines whether said recording medium is ~~a recording medium~~ of a first type having a configuration enabling recorded data to be effectively read out by performing authentication processing or ~~a recording medium~~ of a second type having no such configuration and enabling read out of the recorded data to be read out freely without authentication,

examines whether said reproducing apparatus is ~~a reproducing apparatus~~ of a first type for reproducing after the authentication processing or ~~a reproducing apparatus~~ of a second type for reproducing without that processing, and

examines whether said recording apparatus is ~~a recording apparatus~~ of a first type for recording after the authentication processing or ~~a recording apparatus~~ of a second type for recording without that processing.

28-30. (Canceled)

31. (Currently Amended) A data processing apparatus comprising:

a reproducing apparatus for reproducing content data ~~to be distributed~~ from a mounted recording medium;

an examining means for examining types of the content data recorded on a recording medium mounted in said reproducing apparatus, a recording medium mounted in said reproducing apparatus, and said reproducing apparatus, said examining means generating usage information including a plurality of ownership rights and distribution profits; and

a controlling means for controlling the reproduction of the content data from said recording medium mounted in said reproducing apparatus based on ~~results of said examination~~ said usage information.

32. (Currently Amended) A data processing apparatus as set forth in claim 31, wherein said examining means;

examines whether said content data ~~is to be distributed~~ ~~is content data~~ of a first type which is distributed in an encrypted state or ~~content data~~ of a second type which is distributed in an unencrypted state,

examines whether said recording medium is ~~a recording medium~~ of a first type having a configuration enabling recorded data to be effectively read out by performing authentication processing or ~~a recording medium~~ of a second type having no such configuration and enabling read out of the recorded data to be read out freely without authentication, and

examines whether said reproducing apparatus is ~~a reproducing apparatus~~ of a first type for reproducing after the authentication processing or ~~a reproducing apparatus~~ of a second type for reproducing without that processing.

33. (Currently Amended) A data processing apparatus as set forth in claim 32, wherein said controlling means disables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

34. (Currently Amended) A data processing apparatus as set forth in claim 32, wherein said controlling means disables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the reproducing apparatus is said second type of recording medium, and said reproducing apparatus is said first type of reproducing apparatus.

35. (Currently Amended) A data processing apparatus as set forth in claim 32, wherein said controlling means disables the reproduction when ~~the result of the examination is~~ said usage information indicates that the content data is ~~content data of~~ said first type, the recording medium mounted in the reproducing apparatus is said first type of recording medium, and said reproducing apparatus is said second type of reproducing apparatus.

36-49. (Canceled)